

### REMARKS

Claims 5-6, 8, 26-27 and 29 are canceled herein. Claims 1-4, 7, 9-25, 28 and 30-35 remain pending in the present application. Claims 1-2, 4-10, 13, 15-16, 18-20, 22-23, 25-31 and 34 are amended herein. Support for the Claim amendments can be found throughout the Specification and Figures including pg 58 and page 118. No new matter has been added as a result of the Claim amendments.

The Examiner has indicated that Claims 1-35 would be allowable if rewritten or amended to overcome the rejection under 35 U.S.C. §112, second paragraph, set forth in the present Office Action. Applicants wish to thank the Examiner for indicating that Claims 1-35 would be allowable if rewritten or amended.

Applicant has amended Claims 1-4, 7, 9-25, 28 and 30-35 to overcome the rejection under 35 U.S.C. §112, second paragraph, set forth in the present Office Action. As such, Applicants respectfully submit there are no further contended Claims and that Claims 1-4, 7, 9-25, 28 and 30-35 are in condition for allowance as provided in the present Office Action.

### Claim Rejections - 35 U.S.C. §112

The present office action states that Claims 1-35 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Claims 1-2, 4-10, 13, 15-16, 18-20, 22-23, 25-31 and 34 are rejected under 35 U.S.C. § 112, second paragraph, as the claims contain the trademark/trade name(s): iTunes, iPod, Macintosh and Windows.

Claims 5-6, 8, 26-27 and 29 are canceled herein. As such, Applicants respectfully submit the rejection under 35 U.S.C. § 112, second paragraph, of Claims 5-6, 8, 26-27 and 29 is moot at this time.

Claims 1-2, 4, 7, 9-10, 13, 15-16, 18-20, 22-23, 25, 28, 30-31 and 34 are amended herein and no longer contain the trademark/trade name(s): iTunes, iPod, Macintosh and Windows.

As such, Applicants respectfully submit the rejection under 35 U.S.C. § 112, second paragraph, of Claims 1-2, 4, 7, 9-10, 13, 15-16, 18-20, 22-23, 25, 28, 30-31 and 34 is moot at this time.

Allowable Subject Matter

The Examiner has indicated that Claims 1-35 would be allowable if rewritten or amended to overcome the rejection under 35 U.S.C. §112, second paragraph, set forth in the present Office Action. Applicants wish to thank the Examiner for indicating that Claims 1-35 would be allowable if rewritten or amended.

Applicant has amended Claims 1-2, 4, 7, 9-10, 13, 15-16, 18-20, 22-23, 25, 28, 30-31 and 34 to overcome the rejection under 35 U.S.C. §112, second paragraph, set forth in the present Office Action. As such, Applicants respectfully submit there are no further contended Claims and that Claims 1-4, 7, 9-25, 28 and 30-35 are in condition for allowance as provided in the present Office Action.

## CONCLUSION

Based on the amendments herein and arguments presented above, Applicants respectfully assert that Claims 1-4, 7, 9-25, 28 and 30-35 are in condition for allowance, and therefore, Applicants respectfully solicit issuance of these Allowable Claims.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,  
Wagner Blecher LLP

Date: March 30, 2009

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